

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

Kevin Turner and Shawn Wooden, on
behalf of themselves and others similarly
situated,

Plaintiffs,

v.

National Football League and NFL
Properties LLC, successor-in-interest to
NFL Properties, Inc.,

Defendants.

**THIS DOCUMENT RELATES TO:
ALL ACTIONS**

No. 12-md-2323 (AB)

MDL No. 2323

Hon. Anita B. Brody

MOTION FOR LEAVE TO FILE
SURREPLY DECLARATION OF MICHAEL L. MCGLAMRY
IN RESPONSE TO CHRISTOPHER A. SEEGER'S OMNIBUS REPLY DECLARATION

Michael L. McGlamry, of Pope McGlamry, PC, member of the Plaintiffs' Steering Committee (or "PSC") and Co-Chair of the Ethics Committee, among other Plaintiffs' leadership positions, respectfully moves the Court for leave to file a surreply declaration in response to Christopher A. Seeger's Omnibus Reply Declaration, filed November 17, 2017 (ECF No. 8934).

The purposes of this surreply are to address Mr. Seeger's statements concerning Pope McGlamry's work on behalf of the Ethics Committee to stem the spread of misinformation to the Class, to explain that Mr. Seeger failed to respond to an important argument regarding whether it is appropriate to bill time spent communicating with individual class members as common-

benefit time, and to note the significant opposition to his proposed fee allocation. Mr. Seeger incorrectly accuses both Zimmerman Reed and Pope McGlamry of focusing on preserving individual retainer agreements with their own clients, instead of seeking to protect the Class from the attempts to provide them misinformation and seek to unethically profit at Class Members' expense. (*See* ECF No. 8934 at ¶¶ 66-70 & n. 19-20). Those accusations are incorrect and should not remain unanswered, as my firm and my Co-Chair's firm worked tirelessly to eliminate confusion and protect the best interests of all Class Members and to stop the unethical conduct of those who sought to do otherwise. (*See also* ECF No. 8945 (Motion for Leave to File Surreply by C. Zimmerman)).

A proposed Order granting the motion is attached as Exhibit A. The proposed short Surreply Declaration of Michael L. McGlamry is attached hereto as Exhibit B.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant him leave to file the Surreply Declaration of Michael L. McGlamry.

Respectfully submitted this 28th day of November, 2017.

s/ Michael L. McGlamry
Michael L. McGlamry
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the Clerk of the court using the CM/ECF system, which will send a notice of electronic filing to all Counsel of Record.

This 28th day of November, 2017.

/s/ Michael L. McGlamry

Michael L. McGlamry

Georgia Bar No. 492515

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